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CLERK OF DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION**

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KENNETH McDONALD et al	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:05-1248-T/An
	)	
REITTER & SCHEFENACKER,	)	
	)	
Defendant.	)	

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**SCHEDULING ORDER**

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Pursuant to the scheduling conference set by written notice, the following dates were established as the final dates for:

**RULE 26(a)(1) DISCLOSURE DEADLINE:** DECEMBER 7, 2005

**JOINING PARTIES:** DECEMBER 30, 2005

**AMENDING PLEADINGS:** DECEMBER 30, 2005

**COMPLETING ALL DISCOVERY:**

- (a) **REQUESTS FOR PRODUCTION, INTERROGATORIES, AND REQUESTS FOR ADMISSIONS:** AUGUST 25, 2006
- (b) **EXPERT DISCLOSURE (Rule 26):**
  - (1) **DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT INFORMATION:** JUNE 23, 2006
  - (2) **DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT INFORMATION:** JULY 30, 2006
  - (3) **SUPPLEMENTATION UNDER RULE 26(e):** 10 days after Defendant's

(a) **DEPOSITION OF EXPERTS:** AUGUST 25, 2006

**FILING DISPOSITIVE MOTIONS:** SEPTEMBER 27, 2006.

**FINAL LIST OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):**

(a) **PLAINTIFF:** NOVEMBER 10, 2006

(b) **DEFENDANT:** NOVEMBER 27, 2006

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under rule 26(a)(3).

The trial of this matter is expected to last three to four days, and is **SET FOR JURY TRIAL** at 9:30 a.m. on DECEMBER 27, 2006. A joint pretrial order shall be submitted no later than 5:00 p.m. on DECEMBER 15, 2006. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial.

**OTHER RELEVANT MATTERS:**

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial.

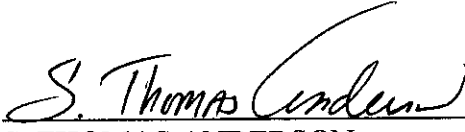
*The parties are encouraged to engage in court-annexed attorney mediation or private*

is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial.

*The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.*

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.

  
S. THOMAS ANDERSON  
UNITED STATES MAGISTRATE JUDGE

DATE: November 28, 2005

AGREED AND APPROVED FOR ENTRY:

**GILBERT & RUSSELL, PLC**

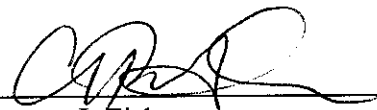
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**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION**

KENNETH MCDONALD, et al.

Plaintiffs,

V.

REITTER & SCHEFENACKER  
USA LP,

Defendant.

Case No. 1:05-1248-T/An

## CERTIFICATE OF SERVICE

The undersigned, as counsel for Defendant, Counter-Plaintiff, Third-Party Plaintiff, hereby certifies that a true and correct copy of the foregoing proposed Scheduling Order has been sent by regular mail to:

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CaraLee B. Epp



## Notice of Distribution

This notice confirms a copy of the document docketed as number 14 in case 1:05-CV-01248 was distributed by fax, mail, or direct printing on December 1, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT